

1909-035
Lee Co.

Chancery Causes: L. B. Howard vs. William Fee &c

Smith, Brummitt, Brummett

CA-Debt
T-Property

To the Honorable H. A. W. Skeen Judge of the Circuit Court of Lee County Virginia.

Humbly complaining your complainant L. B. Howard, would respectfully represent and show unto your honor, that on the 2nd. day of May 1908, Will, Fee, G. W. Fee and G. W. Smith executed to one James Brumett, their joint negotiable note for the sum of \$64.60 due in six months after date with interest from date; James Brumett on the 28th. day of November 1908 sold and assigned said note for value, to your complainant the makers of said note have not paid any part of said note to James Brumett nor to your complainant, since he became the legal owner thereof, but they each refuse to pay said note; said note is here filed and made a part of this bill and marked "A".

Your complainants alleges that the defendants Wm. Fee, G. W. Smith and endorsee James Brumett are insolvent but that G. W. Fee at the time he signed said note was the owner of a tract of land but has since sold the same, and bought another tract of land from one Jasper Thomas, and had it deeded to his wife Margaret Fee, said deed was executed to his said wife without consideration deemed valuable in law, but was executed with intent to hinder, delay and defraud his creditors and especially your complainant; wherefore your complainant prays that Wm. Fee, G. W. Fee, G. W. Smith and James Brumett be made parties to this bill and answer the same but not on oath that being waived; that said deed from Jasper Thomas to Margaret Fee be set aside and said land be decreed to be the land of G. W. Fee, and be subjected to your complainants aforesaid debt; that personal judgment be rendered in favor of your complainant against all of said defendants; that said lands be rented or sold to pay your complainants said debt, and your complainant prays for all other and further relief generally that the nature of his case may require or to equity seem mete, and he will ever pray &c.

----- Ely ad Woodward, Jr. q

^{12/3/11}
L. B. Howard,

vs $\frac{1}{2}$ Bill in Chancery

Wm Fee et als

1909 2nd Jan Rule

Bill filed Spas.
executed & C. O.

" First Feb'y Rule

50.00
64.01
3.31
11
12

9.01

50
5
148
11
34

35152

\$6 6th 60

May 2

190

Six Months

~~day~~

after date

me

promise to pay to the order of

James Brunette

~~J. C. CAWOOD~~

Sixty four 9 ⁶⁰/₁₀₀

Dollars

Negotiable and payable, without offset, for value received and

me

waive the benefit of

all

homestead exemption as to the debt evidenced by this note.

With 6 per cent interest from date.

Given under

my

hand

Seal

the date above written.

The undersigned, principals and endorsers, sureties and guarantors, hereby waive presentment for payment, demand, protest and notice of protest or nonpayment of this note and diligence in bringing suit against any party hereto, and agree that time of payment may be extended without notice or other consent and without affecting their liability, and agree that if suit is brought hereon, or if placed in the hands of an attorney for collection, to pay ten per cent. attorney's fee, which shall be added to and become a part of the judgment.

Witness L. B. Howard

Will H. Lee
G. W. Smith

[SEAL]

[SEAL]

[SEAL]

I assign the within note
over to L.B. Howard
This Nov. 28-08
and guarantee payment of same
James Brunell

Credit - the within note $\$4.40$ nine
dollars and forty cents, This Nov. 30. 1908
L.B. Howard J.

Credit - the within note $\$8.00$ Eight
dollars, This Dec. 28. 1908
L.B. Howard J.

"A"

Warrant in Debt.

For Sale by Wise Printing Co.
Big Stone Gap, Va.VIRGINIA: Lee COUNTY, TO-WIT:To The Sheriff or any Sheriff of said county:

I command you to summon Will Fee G.H. Fee B.H. Smith James Brummet
 if to be found in your county, to appear at J.C. Wolfenbargers Residence
 on the 20 day of Jan 10 am 190 9, before me or such other Justice as may be
 then there to try this warrant, to answer the complaint of T.B. Howard

upon a claim of money not exceeding \$100, exclu-
 sive of interest, to-wit: For the sum of \$ 64.60 due by Note Subject to Credits
 and then and there make return of this warrant.

Given under my hand this 11 day of Jan 190 9

J.C. Wolfenbarger J. P.

VS.

IN DEBT, On the _____ day of _____, 190 _____, a _____
 _____, judgment that the plaintiff recover of the
 defendant \$ _____, with interest from the _____ day of _____, 190 _____, till paid
 and \$ _____ for his costs.
 _____, J. P.

County: To _____ Sheriff of said County:
 I command you in the name of the Commonwealth of Virginia, that of the goods and chattels of
 _____, in your county, you cause to be made the sum
 of \$ _____ with interests from the _____ day of _____, 190 _____, till paid, which
 _____ has _____ recovered before _____ in a warrant
 in debt, and also the sum of \$ _____ which were adjudged to the said _____
 for costs in prosecuting his said warrant. Given under my hand this _____ day of _____
 190 _____

_____, J. P.

L. R. Howard
V.S. } Warrant
Will. Keenother.

Executed by deliv-
ering a true copy
of the within
Warrant to Wm
Free Gw. Free Gw.
Smith & Jas Br
umett. Jan 14/89

C. E. Garrett D. S.
for Wm. Tucker S. L. C.

Costs

Sheriff \$2.00
J. R. 50

\$2.50

The printer has been
paid for the
last copy of the
set to the State

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

G. W. Fee, Wm. Fee, G. H. Smith, James Brummitt & Margaret Fee

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *3rd* Monday in *January*, 190*9*, to answer a bill in chancery exhibited against *them* in our said Court by *L. B. Howard*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *13th* day of *January*, 190*9*, and 1*33^d* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

L. B. Howard

VS

SUBPOENA
IN
CHANCERY

G. W. Fee, et al,

E. & Woodward, p. q.

To

2nd Jan'y.

Rules

Loc Circuit

Court

1909

Executed by delivery
ing true copy of
the within summons

G. W. Fee, et al, Fee Mar
garet Fee G. W. Smith &
Jas. Brummett. Jan 16/09

C. E. Garrett, C. S.
W. W. Tucker, S. L. C.